

April 4, 2019

Public Portion closed at 7:02 P.M

1. Frank Olivo

Agent/Contractor: FGO Development

Architect: John D. Stopp

Engineer: Riverstone

36100 Maple Grove Rd. – New House – PPN: 31-A-012-C-00-024-0

Plans received by City Engineer 3/15/19

Plans reviewed by City Engineer 3/18/19

Present: Frank Olivo (1294 Iroquois Ave., Mayfield Hts) and Andy Lionel (Concord)

City Engineer's Comments (DiFranco):

- We have been working with Mr. Olivo on the plans. They have met all of our requirements. Approval is recommended.
- The house was already demolished? *Yes. Was there a reason why it was demolished without being registered or have a permit? No, we just starting working on it and then continued because it was so rotted. It was pretty dangerous as it was.*
- There will be a late penalty for the Demolition Permit. *Okay.*

Owner/Representative Comments:

- The applicant brought samples to supplement the color and material descriptions on page A-2 on the plans.
- Gray cultured stone will be around the bottom in the front. He asked about lowering the height of the stone to keep it level all the way across.

(Smith) The prints would have to be amended to reflect the change, but it could be done administratively. *I'll just leave it.*

- The roof will have pewter gray 30-year Timberline HD shingles.

(Smith) It is a nice combination. There is that section in the middle of the stone that is higher than the rest. Is there a reason it is higher? *No, I wanted bring it down so it would be the same all the way across.* I would recommend you do that, if it is acceptable to the Board. It would look nicer with the pillars rising a little higher than that. Then it would come across as a water table just under the sill. *That's it exactly.*

- Everything here is Allside products.

(Smith) Will the shake about be the same color?

The shake is Tuscan Clay. The shake is a little darker. Up by the roofline - that will look nice.

- Trim sample for the trim, corners and center piece shown. We will use a beaded soffit [shown]. The posts in the back will have cultured stone up to the height demonstrated.

Board Comments:

(Smith) Looking at the back of the house where it goes below grade, what will the surface be? *It will be sided?*

(Lillich) Does that include the retaining wall? *The retaining wall will be done with stone.* What will the foundation be? It will be block. But we poured the wall. How will it be covered above grade? With this stone? *Yes.*

(DiFranco) It will be stone in the front but the sides and the back will be exposed? *The plan shows two feet but I want to carry it all the way around.* With the same stone? *Yes.*

(Smith) The stone foundation with siding on the top will look great.

(Fiebig) Will you wrap the posts in the back like you did in the front? *Yes.* Lowering the center of the stone in front will look a lot better. *I do not know why he drew it like that.* The plan shows two painted window boxes? *It is Azek.* What color will you paint it? *Probably the trim color. When you paint Azek, the color will last forever. Azek itself will fade.*

MOTION: John Lillich moved to approve the plans for the New House at 36100 Maple Grove Rd.

Seconded by Councilman Fiebig
Voice Vote: Ayes Unanimous.
Motion Passes: 6/0.

Additional Discussion:

(DiFranco) You will go to the Building Department to apply for a Zoning Certificate. Then take the Certificate to County for the Building Permit.

(Olivo) I have been approved for everything except the Lake County Engineer. Lake County already has the prints.

(DiFranco) You have the Soil & Water, Septic and Storm. Do they have three sets of prints?

(Olivo) Two.

(DiFranco) They need another one. You keep one. They keep one and one is brought back to Willoughby Hills.

2. Jennifer Varro

Agent/Contractor: Joe Madachy

Architect: TBD

Engineer: David Rapp

2890 SOM Center Rd. – Demo existing house & construct new house-- PPN: 31-A-006-0-00-024-0

Plans received by City Engineer 3/28/19

Plans reviewed by City Engineer 3/28/19

Present: Joe Madachy and Scott Varro.

City Engineer's Comments (DiFranco):

We have been working with the applicant on getting approved drawings. Everything looks good. I do recommend approval.

There are a few items I would like to discuss so there are no surprises down the road and we are all on the same page. There are a couple unique items about this property.

- Code: They do have horses. There is a barn with stables. Our Code requires residential homes to be 150 feet away from stables. It is not possible with this property. They are only about 40 feet away. In my opinion, the Code is meant for when a stable is built after the house that it should be built with that separation. In this case, they are replacing an existing house and are not able to meet the Code. I do not have an issue with that as long as the applicant does not have an issue.
- Dumpster: There is a dumpster on the property. Back in 2017 when I visited the property, I mentioned that there has been no approval. Our Code requires all dumpsters to be approved. I do not have an issue with it. I just want to make you aware of it.
- Contractor Registrations: Mr. Madachy has registered so I assume you want to work in the City. (Madachy) Yes. And you will agree to follow all of the City regulations and standards. I want you to understand that when we approve drawings, it does not mean that it covers everything.
 - There are State Codes and Standards that are not shown on your site plans. As City Engineer, I am mainly concerned about the site plans. I just want to make you aware that you are responsible for knowing those Codes. (Madachy) Okay.

- Community Codes: This is a desirable community to live and work in. The community adopts their codes to expect a certain standard and level of quality from the residents and builders. As a result, people want to live here and builders want to build here. It is in high demand. I get a lot of calls from builders looking for vacant lots. I say this because there has been a lot of talk and frustration about our City process for approvals and your intent to never build in the City again. Again, no one is forcing you to build here. *(Madachy) No, I have a client who wants to replace a house. So I will work with a client to get a house built for her. But working within the City's standards and regulations? (Madachy) Oh, yes.*
- Subcontractor Registration: You are registered. All of your subcontractors need to register as well. *(Madachy) Yes. I have already talked to them. Okay, good.*
- Performance Bond and Permit Deposits are intended to protect the homeowner as well as the City. They are typically paid by the builder or contractor rather than the homeowner. But it is my understanding in this case, the homeowner might be paying those. I want to make you aware that, if you do, you are putting yourself at risk if something goes wrong or we need to use some of that deposit because of your builder. Whoever paid the deposit would lose it.
 - We require the \$20,000 Performance Bond with registration. That typically costs the builder 1% or \$200 depending on what you paid. It is to assure that the contractor completes the job, per requirements. At the end of the job, if something is not complete, that is when we can call the bond provider to make repairs.
 - We also charge Permit Deposits. Those are collected as additional insurance for specific uses, for situations when there isn't enough time to call a Performance Bond or during construction when we can't wait until the project is complete. An example of this is the Erosion and Sediment Control Bond. Before a shovel is placed in the ground, erosion and sediment control measures must be installed. These are items like silt fence and inlet protection. If not, the City has the right to install it and use the deposits as funds. Another example is tracking mud onto the street. If mud is tracked onto the street and the City needs to call a street sweeper, we will take it out of the deposit. We can't wait until the end of the job to clean the street.
- A Certificate of Zoning Compliance will not be issued until all disturbed areas are stabilized. Stabilization is defined in Code 1369 as at least 75% coverage by grass. I point this out because many builders don't have the seed down before November 1st which is the last date you can get germination. It carries all the way through winter into spring. You usually do not get your Certificate of Zoning compliance until April or May. To avoid that, get your seed down before November 1st.
- Erosion Sediment Control are EPA requirements. The City can be in violation of the permit if we don't enforce the requirements on you. It does not matter who else you have spoken to or whatever communities you have worked in, I am the City Engineer and if you do not conform it is my responsibility to report it to EPA. That is to protect the City. Neither the Mayor nor the Council has the authority to waive the EPA requirements.
- Deposits: There was talk about our deposits. You already provided a Performance Bond. As an example, if you go to the City of Wickliffe, they charge 1% deposit on all construction. On the application, it was a \$250,000 house which means a minimum of \$2,500 deposit. Our fees and deposits are not out of line with neighboring communities.
- Permit Conditions and Inspections: When you apply for the permit, whether it is tomorrow or whenever, I want to make you aware that there are conditions on the back of page one for each type of permit. You need to call into the City [Building Department] to get each of the Inspections scheduled.

- For example, Demolition Permit: The storm and sanitary laterals need to be plugged before the house is demolished. That is to protect from garbage entering the sewer system. There are requirements for each type of permit on the page.
- Regarding Inspection by the City Engineer: Code 1365 requires a footer with a depth inspection before the footer is poured and 48 hours advance notice. It also requires a foundation grade check once the foundation walls are complete and backfilled.
- Period Visits: The Engineer also makes periodic visits to monitor to make sure there are no issues.
- Pre-Final Inspection is done once the site is final graded but before you put down the seed.
- Final Plot Plan: Once everything is done completed and satisfactory, a final plot plan is prepared by your licensed engineer or surveyor.

(Madachy) Schedule with Building Department? *Yes*. Regarding the deposits, if they are not needed for a street sweep or whatever, those do come back? *Correct*. I think that was some of the confusion was the reason for what the deposits the City wanted. It was good to help explain that when I was with her the other day. I misunderstood why there were the deposits when we had the permits and the engineering and Soil & Water and everyone else are doing their jobs.

Owner/Representative Comments:
Discussion under Board Comments.

Board Comments:

(Smith) What are you doing in between the eaves on the pitched portions of the roof? *They don't show that. It will be regular siding straight up in the same color.* Is there a reason that the windows are all over on the house and the headers are not lined up? *I don't know why. I did not draw it. One of them is a laundry room. They will all have the same header heights. They are all the same windows. Maybe it is because the first drawing did not have the 4 inch border around them. I think when the 4-inch white border was added around the white windows, the drawing got moved around a bit.* You will use the dark green with the white trim? *Yes*.

(Lillich) On the computer generated prints, things get left off. You show block walls above grade? *Yes, they will be painted.* You show it trimmed out nicely around the windows on the plan but neglected the garage doors and the man-door on the print. *I will do those also.* I figured but wanted to verify.

(Smith) What color will the painted block be? *Gray.* It may look better if it is painted the green or a little darker. If it is gray, it may look like it is sitting on something. *By the time the 4-inch raised bed landscaping is put in the front, you do not see much of the foundation above grade.* No one landscapes every inch around the house. *We will entertain that.*

(Shannon) If there is an 'after the fact variance' for the distance from the house to the stables because it is 'grandfathered in', might there be a problem with how the stables are being used because the distance is less? *The house is going in exactly the same foot print as where the existing house is now. The new house will be a little bigger. It did not move any closer to the stables. We did not really have a choice about where to put the house.* So it is whatever existed at the time.

(Smith) If I am not mistaken, by our Code, that lot would be unbuildable.

(DiFranco) Correct. The Code requires a 75-foot front setback. They are proposing a 64-foot front setback which I agree with for a couple reasons. One is because it keeps the house further away from the stables. Secondly, the house on the south is only setback about 40 feet. The proposed house is about average between the house on the south and the one on the north.

(Lillich) That is what we try to do when this situation arises.

(Cihula) Prior to 1965, the Right of Way (ROW) for SOM Center was only 60 feet. The majority of the houses were built 75 feet back or further. Now the ROW is 25 feet greater. The proposed house would have met the Code until SOM Center was widened.

(Smith) That is a great point. Thank you.

(Cihula) There was a variance on the property but only for fence height. The Building Inspector did not have any concern about the setbacks or spacing with the stable at that particular time.

(Smith) When and if someone makes a motion, I would recommend including the three items that were added. Trim all the doors and windows. The stone [block] is painted below the siding.

(Fiebig) All the windows are the same? *Except the laundry room. They will all be the same height.* They will have the grids between the panes? *The print does show it unfortunately but I don't think we are doing that.* Some show it, some do not. *There will be no grids in any of them.* Not grids or mullions at all? *No.*

(Smith) That will change the look of the house quite a bit.

(Fiebig) Don't we typically ask for them at least on the front?

(Smith) We do. Is there a reason you do not want to put the mullions in? They are inside the glass. *It is a cleaner look. It is a personal preference.*

As you look around the City, most houses have the mullions.

(Lillich) It has always been our opinion that the street look, how the house looks from the street is enhanced, especially when selling a house. Realtors like it. *The new house will look nicer and in better repair than the current house. The windows in the barn do not have grids. They will tie in together.*

(Fiebig) The barn is brown. *It is cedar wood. We looked carefully to find a green that would look well with it.* I would not insist on it for this one. You could think on it.

(Lillich) We encourage it. To me it looks unfinished. *It is a personal preference.* I like the prairie style. You still have a nice clear view in the center.

MOTION: John Lillich moved to approve the plans for the Demo of the existing house & Construction of the New House at 2890 SOM Center Rd. with the notation that the windows will all be at the same header height, all the doors and windows are trimmed and the block below the siding and above grade will be painted.
Seconded by Councilman Fiebig.
Voice Vote: Ayes Unanimous.
Motion Passes: 6/0.

Additional discussion:

(Applicant) I brought these other plans if you want a copy.

(DiFranco) I have those. I need a stamped copy from County.

PLANNING COMMISSION

Public Portion opened at 7:36 P.M.

No Public Input.

Public Portion closed at 7:36 P.M.

UNFINISHED BUSINESS

(Lillich) When we attended the Zoning Conference last year, we came back to the Board and discussed what we heard about Amazon going into Kohl's and CVS. I have learned the Amazon has backed out of all of that.

NEW BUSINESS

None.

MAYOR'S REPORT

No Report.

COUNCIL REPRESENTATIVE'S REPORT (Fiebig)

No Report.

BUILDING COMMISSIONER'S REPORT (DiFranco)

We do have an Agenda for the April 18th meeting. There is a new house in Maple View subdivision. The garden pavilion for Ricci is ready. ALDI should also be ready for that meeting.

CHAIRMAN'S REPORT (Smith)

No Report.

MOTION: John Lillich moved to adjourn the meeting.
Seconded by Michael Kline.
Voice Vote: Ayes Unanimous.
Motion Passes: 6/0

Meeting Adjourned at 7:38 P.M.

Katherine Lloyd
Clerk

Chairman
4.19.19
Date Approved